

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

In Re:

**The Matter of the Complaint of Eastern Barge Services, Inc.,
And ABS Marine Towing & Salvage Ltd.,**

1:08-CV-00229 (NPM/RFT)

NEAL P. McCURN, Sr.J.

ORDER DISMISSING ACTION WITH PREJUDICE

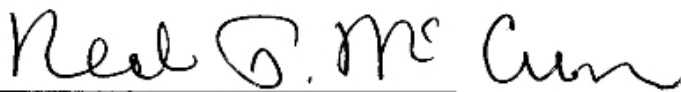
The Court having received a letter motion dated February 23, 2010, from counsel for Petitioners herein requesting that Rule 41 (a)(2) Order dismissing this action with prejudice, and the period of time in which to file claims, and subsequent extension of time to file claims, having now expired, and the Court having reviewed this matter, and no claims having been filed in this proceeding, it is hereby,

ORDERED, that any and all claims arising out of the events described in Petitioners' Complaint are hereby barred and precluded and that this limitation action is **DISMISSED WITH PREJUDICE**.

ORDERED, that the Clerk of Court enter this Order and serve a copy of this Order upon any parties appearing.

IT IS SO ORDERED.

**Dated: February 26, 2010
Syracuse, New York**



Neal P. McCurn
Senior U.S. District Judge